

Notice of Allowability**Application No.**

10/782,494

Applicant(s)

KIROLOS ET AL.

Examiner

LYLE A. ALEXANDER

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the 1/14/11 interview summary and amendments.
2. ☒ The allowed claim(s) is/are 1,6,17-35 and 43 renumbered as 1-22 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1/14/11.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/LYLE A ALEXANDER/
Primary Examiner, Art Unit 1773

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Pike on 11/14/11.

1. (Currently Amended) A system for detecting a breach of an exposure protection device by an amount of a target substance, said system comprising:

the exposure protection device that isolates a protected environment from an external environment potentially including a target substance, the device including a protective covering, the protective covering comprising at least one opening that is hermetically sealed by a substantially transparent window that protrudes outward from said exposure protection device; and

a detector for indicating the presence of a predetermined level of the target substance, the detector being capable of producing visually observable indication upon detection of the level of target substance;

wherein said detector is positioned within the protected environment in the vicinity of said window, such that the visually observable indication is observable from the external environment.

7. (Cancelled)

17. (Currently Amended) A system for detecting breach of properties of protective equipment, comprising:

an exposure protection device that isolates a protected environment, the exposure protection device comprising:

a protective covering comprising a first material;

at least one opening; and

a enclosure surrounding each opening, each enclosure comprising a transparent window hermetically sealed to a surface of the exposure protection device around each of the opening, wherein an inner environment of each enclosure is in communication with the protected environment and the transparent window consists of a second material that is more transparent than the first material and protrudes outward from said exposure protection device; and

a detector element within at least one enclosure.

35. (Currently Amended) A system for detecting a breach of an exposure protection device by an amount of a target substance, said system comprising:
an exposure protection device that isolates a protected environment from an external environment potentially including a target substance, the device including an opaque protective covering, the protective covering comprising at least one opening that is hermetically sealed by a substantially transparent window that protrudes outward from said exposure protection device; and
a detector for indicating the presence of a predetermined level of the target substance, the detector being capable of producing a visually observable color indication upon detection of the level of target substance, wherein said detector is positioned within the protected environment in the vicinity of said window.
43. (Currently Amended) A system for detecting a breach of an exposure protection device by an amount of a target substance, said system comprising:
an exposure protection device that isolates a protected environment from an external environment potentially including a target substance, the device including a protective covering, the protective covering comprising at least one opening that is hermetically sealed by a substantially transparent window, wherein the transparent window is more transparent than the protective covering and protrudes outward from said exposure protection device; and
a detector for indicating the presence of a predetermined level of the target substance, the detector being capable of producing a visually observable color indication upon detection of the level of target substance, wherein said detector is positioned within the protected environment in the vicinity of said window.

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance: The cited prior art fails to teach or suggest the claimed structure of an exposure protection device that indicates a breach in the device comprising, a detector for indicating a predetermined level of a target substance hermetically sealed within the device and a transparent window that protrudes outward from the surface of the device to observe the detector.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LYLE A. ALEXANDER whose telephone number is (571)272-1254. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LYLE A ALEXANDER/
Primary Examiner, Art Unit 1773